

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

HAROLD ANDREW CALDWELL,	)	
	)	
Plaintiff,	)	
	)	
v.	)	1:12CV857
	)	
SGT. CAUSE,	)	
	)	
Defendant(s).	)	

**ORDER**

On August 16, 2012, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 3, 4.) Plaintiff objected to the Recommendation. (See Doc. 5.)

The court has appropriately reviewed the portions of the Magistrate Judge's report to which objection was made and has made a de novo determination which is in accord with the Magistrate Judge's report. The court therefore adopts the Magistrate Judge's Recommendation.

**IT IS THEREFORE ORDERED** that Plaintiff's complaint (Doc. 1) be, and the same is hereby, **DISMISSED** pursuant to 28 U.S.C. § 1915A for being frivolous or malicious or for failing to state a claim upon which relief may be granted. A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 26th day of October, 2012.

William L. Ostun, Jr.  
United States District Judge